

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Applicant: §  
SCHATZBERGER Shaike §  
Serial No.: 10/517,768 §  
Filed: December 27, 2004 § Group Art Unit: 3739  
For: METHOD AND APPARATUS FOR POSITIONING §  
A SURGICAL INSTRUMENT § Attorney  
Examiner: VRETTAKOS, PETER J § Docket: 29097

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a PTO Form 1449 which lists citations which may be material to the patentability and examination of the above identified application. Also enclosed are copies of the references cited. These are submitted in compliance with the duty of disclosure defined in 37 CFR 1.56. The Examiner is requested to make these citations of official record in this application.

The undersigned states:

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.

☒ Please charge the fee of \$180 set forth in 37 CFR 1.17 (p) to Deposit Account 501407.

This Information Disclosure Statement submitted pursuant to 37 CFR 1.56 is not to be construed as a representation that a search has been made, that additional matter which is material to the examination of this application does not exist, or that the information disclosed constitutes prior art or is otherwise material to patentability.

Respectfully submitted,

/ Martin D. Moynihan/

Martin D. Moynihan  
Registration No. 40,338

Dated: December 2, 2008